



Policy No. 104

Project and Contracting Policy

Adopted: July 16, 1999

This policy addresses projects that are developed from the Three-Year Plan goals and performance targets. This policy does not address "discretionary fund" activities. Refer to the Council Discretionary Funds Policy.

The Council shall:

Determine the priority areas, goals and performance targets in its Three-Year Plan and subsequent amendments as required by P.L. 104-183.

Determine the projects and activities that will be implemented to meet Plan goals and performance targets.

Review and approve project descriptions, outcomes, deliverables and the criteria for responsiveness if competitive process will be used.

Determine the maximum total allocation for each project.

Approve all changes to project descriptions, outcomes, deliverable and criteria for responsiveness.

Approve the approach to be taken for project implementation:

- In-house - Council members or staff have expertise; extensive project coordination is needed; determined to be more effective and/or cost effective to do it ourselves;
- Contract or Agreement - Council staff may not have expertise; an expert in field needed; level of complexity requires diverse expertise and possibly multiple contracts; determined to be more effective to contract out;
- Competitive - Issue/service can be addressed/provided by more than one consultant, organization, and/or agency;
- Non-competitive - Clearly apparent that only one particular person, agency or organization could administer the project (if the Council decides to issue a non-competitive grant, it shall provide written justification to the Project Coordinator).

Only responsive proposals shall be scored. If all proposals are non-responsive, the Council shall begin the process with step three above. In the competitive process, after scoring, the award shall be given to the winning bidder (RFP) or best qualified (RFQ/Q) without further Council action.

Receive and review written project progress reports twice a year (June and December) and a final report for each project as received.

Council Staff shall ensure that:

Project descriptions, including a purpose statement, performance targets(s), milestone(s), duration and funding allocation, are developed.

Anyone who may be a prospective bidder or is associated with a prospective bidder shall not participate in developing the project description.

Department of Community, Trade and Economic Development (CTED) policy, federal, and state rules and regulations are followed.

A contract scope (statement) of work is consistent with the project description.

In the competitive process, all proposals are evaluated as to responsiveness and forward only responsive proposal to scoring. If all proposals are non-responsive, a report shall be delivered to the Council and the Workgroup assisted in beginning the process anew.

Procurement procedures and contract administration is conducted according to CTED, federal, and state rules and regulations and that project descriptions are implemented.

Progress reports are provided to the Council twice a year (June and December) and a final report for each project as received.

Council is informed if a contractor's performance becomes sub-standard and corrective action is implemented.

NOTE: The maximum total allocation for each project is determined when the Council approves the budget. The Council must approve any changes to the budget.

Ed Holen, Executive Director
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